

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                          |   |                        |
|--------------------------|---|------------------------|
| UNITED STATES OF AMERICA | ) |                        |
|                          | ) |                        |
| v.                       | ) | <u>2:06-CR-169-WKW</u> |
|                          | ) |                        |
| KOWOSKY TYWAN CHRISTIAN  | ) |                        |

**GOVERNMENT'S MOTION FOR DOWNWARD DEPARTURE**  
**AND CERTIFICATION OF SUBSTANTIAL ASSISTANCE**  
**PURSUANT TO § 5K1.1, UNITED STATES SENTENCING GUIDELINES**

**COMES NOW** the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and files the above-captioned motion, and as reasons therefore, submits the following:

1. Defendant entered a plea of guilty under Rule 11(c)(1)(C) to an indictment charging a violation of Title 21, United States Code, Section 846 pursuant to a plea agreement.

2. Defendant agreed to cooperate with the Government in the instant cause and in subsequent investigations as necessary, and to waive his rights to appeal or collaterally attack the guilty plea or sentence.

3. The United States submits the defendant has cooperated with the United States and has abided by the terms of his plea agreement. The assistance provided by Defendant should be considered substantial.

4. The Government is satisfied that Defendant is entitled to be considered for a reduction of sentence under § 5K1.1 U.S.S.G., and moves this Court to reduce the applicable offense level of Defendant by two levels.

Respectfully submitted, this the 17th day of January, 2008.

LEURA G. CANARY  
UNITED STATES ATTORNEY

s/A. Clark Morris  
A. CLARK MORRIS  
Assistant United States Attorney  
131 Clayton Street  
Montgomery, AL 36104  
Phone: (334)223-7280  
Fax: (334)223-7135  
E-mail: [clark.morris@usdoj.gov](mailto:clark.morris@usdoj.gov)  
ASB-1613-N77A

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                          |   |                        |
|--------------------------|---|------------------------|
| UNITED STATES OF AMERICA | ) |                        |
|                          | ) |                        |
| v.                       | ) | <u>2:06-CR-169-WKW</u> |
|                          | ) |                        |
| KOWOSKY TYWAN CHRISTIAN  | ) |                        |

**CERTIFICATE OF SERVICE**

I hereby certify that on January 17, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Joseph Van Heest.

Respectfully submitted,

s/A. Clark Morris  
A. CLARK MORRIS  
Assistant United States Attorney  
131 Clayton Street  
Montgomery, AL 36104  
Phone: (334)223-7280  
Fax: (334)223-7135  
E-mail: [clark.morris@usdoj.gov](mailto:clark.morris@usdoj.gov)  
ASB-1613-N77A